

1 SCOTT J. FERRELL (S.B. #202091)
sferrell@trialnewport.com
2 NEWPORT TRIAL GROUP
A Professional Corporation
3 610 Newport Center Drive, Suite 700
Newport Beach, CA 92660
4 Telephone: (949) 706-6464
Facsimile: (949) 706-6469

5 Attorneys for Plaintiff and the Class

6 DANIEL M. PETROCELLI (S.B. #97802)
dpetrocelli@omm.com
7 RICHARD G. PARKER (S.B. #62356)
rparker@omm.com
8 CARLOS M. LAZATIN (S.B. #229650)
clazatin@omm.com
9 O'MELVENY & MYERS LLP
400 South Hope Street, 18th Floor
10 Los Angeles, CA 90071-2899
Telephone: (213) 430-6000
11 Facsimile: (213) 430-6407

12 Attorneys for Defendants
13 The Walt Disney Company; Walt Disney
Studios Home Entertainment, Inc.; The Baby
14 Einstein Company, LLC

15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**

17
18 MARIAM YUSUF, individually, and
on behalf of all others similarly
19 situated,

20 Plaintiff,

21 v.

22 THE WALT DISNEY COMPANY,
a Delaware corporation; WALT
23 DISNEY STUDIOS HOME
ENTERTAINMENT, INC., a
24 corporation; THE BABY EINSTEIN
COMPANY, LLC, a Colorado
25 limited liability company; and DOES
1 to 250, Inclusive,

26 Defendants.
27
28

Case No. SACV10-00231 CJC (ANx)

**~~[PROPOSED]~~ ORDER DISMISSING
CASE PURSUANT TO RULE 41(a)**

**Hon. Cormac J. Carney
Courtroom 9B**

1 In accordance with the Stipulation for Dismissal With Prejudice Pursuant to
2 Rule 41(a) submitted jointly by the parties on June 3, 2010,

3 **IT IS HEREBY ORDERED AS FOLLOWS:**

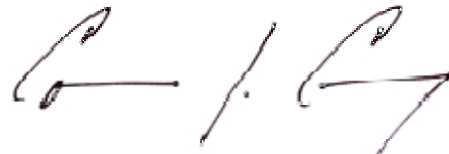
4 1. Plaintiff's complaint in the above-captioned action is DISMISSED in
5 its entirety, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil
6 Procedure;

7 2. Plaintiff's individual claims are dismissed with prejudice;

8 3. The class allegations are dismissed without prejudice;

9 4. Each side shall bear its own attorneys' fees and costs, and all parties
10 waive any right to seek attorneys' fees or costs incurred in connection with the
11 above-captioned action.

12
13
14
15 Dated: June 4, 2010



16 Hon. Cormac J. Carney
17 U.S. District Court Judge
18
19
20
21
22
23
24
25
26
27
28